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Proposal for a

COUNCIL IMPLEMENTING DECISION

amending Implementing Decision (EU) (ST 10152/2021; ST10152/2021 ADD1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Greece

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amending Implementing Decision (EU) (ST 10152/2021; ST10152/2021 ADD1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Greece

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility[1], and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Following the submission of the national recovery and resilience plan ('RRP') by Greece on 27 April 2021, the Commission has proposed its positive assessment to the Council. The Council approved the positive assessment by means of the Council Implementing Decision of 13 July 2021 ('CID')[2]. That CID was amended on 8 December 2023[3].On 5 June 2024, Greece made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 13 July 2021 in accordance with Article 21(1) of Regulation (EU) 2021/241 on the grounds that the RRP is partially no longer achievable because of objective circumstances. On that basis, Greece has submitted a modified RRP.

Amendments based on Article 21 of Regulation (EU) 2021/241

(2) The amendments to the RRP submitted by Greece because of objective circumstances concern 32 measures.

(3) Greece has explained that two measures are amended, because of lower-than-expected demand, which has caused delays in the implementation of these measures. This concerns milestone 33 of measure 16874 (Energy and entrepreneurship); and milestone 49 of measure 16924 (Electromobility) under component 2.3 (Recharge and Refuel). On this basis, Greece has requested to extend the implementation timeline of the aforementioned milestones. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

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1 OJ L 57, 18.2.2021, p. 17.
2 ST 10152 2021; ST 10152 2021 ADD 1.
3 ST 15831 2023; ST 15831 2023 ADD 1.

(4) Greece has explained that for three measures better alternatives to achieve the original ambition of the measure exist. This concerns milestones 79 and 82 of measure 16911 (Aerial means for crisis management) under component 1.4 (Sustainable use of resources, climate resilience and environmental protection); targets 94 and 95 and measure description of measure 16778 (Digitisation of archives and related services) under component 2.2 (Modernise); and target 135 and measure description of measure 16942 (Digital Transformation of the Public Employment Service (DYPA)) under component 3.1 (Promote job creation and participation in the labour market). On this basis, Greece has requested to change the scope of milestones 79 and 82 to purchase the aerial means for crisis management most suited to Greece's needs. Furthermore, Greece has requested to extend the implementation timeline of target 94 and to amend the wording of the measure description and of targets 94 and 95, and to amend the description of the measure 16942 and of target 135, which is also converted into a milestone, in a way that reduces the administrative burden linked to the implementation of the said measures and without lowering their ambition. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(5) Greece has explained that for 24 measures a better alternative allowing to reduce the administrative burden in implementation exists, whilst still reaching the objectives of the respective measures. This concerns: measure description of 16870 (Interventions for the electricity interconnection of islands and the upgrading of the electricity network), measure description of measure 16926 (Support of the installation of storage systems to enhance RES penetration), measure description of measure 16900 (HEDNO overhead network upgrading in forest areas), and measure description of measure 16901 (HEDNO network upgrades aiming at enhancing resilience and protecting the environment) under component 1.1 (Power-up); measure description of measure 16932 (Olympic Athletic Center of Athens), measure description of measure 16879 (Preparation of Urban Plans in implementation of the urban policy reform), milestone 36 of measure 16874 (Energy and entrepreneurship), milestones 34 and 35 and measure description of measure 16876 (Energy upgrade of public sector buildings), and measure description of measure 16873 (Interventions in residential areas and in the building stock) under component 1.2 (Renovate); measure description of measure 16772 (Waste management law for the implementation of sustainable landfilling and recycling), measure description of measure 16846 (Urban Wastewater and Sludge Management Infrastructures from Wastewater Treatment), and milestone 66 and measure description of measure 16850 (Drinking Water Supply and Saving Infrastructures) under component 1.4 (Sustainable use of resources, climate resilience and environmental protection); milestone 87 of measure 16855 (Small-satellites) under component 2.1 (Connect); milestone 147 of measure 16289 (Strategy for Excellence in Universities & Innovation) under component 3.2 (Education, vocational education and training, and skills); milestone 154 of measure 16816 (Reforms and acceleration of investments in the Healthcare Sector - Clawback reduction and rationalization of healthcare expenditure) under component 3.3 (Improve resilience, accessibility and sustainability of healthcare); measure description of measure 16611 (Digital transformation of tax audits) under component 4.1 (Making taxes more growth friendly and improving tax administration and tax collection); measure description of measure 16711 (Professionalization of Public Procurement domain) under component 4.2 (Modernise the public administration, including through speeding up the implementation of public investments, improving the public procurement framework, capacity building measures and fighting corruption); milestone 229 and measure description of measure 16727 (Digital Transformation of Justice (E-Justice)), and

measure description of measure 16575 (Accelerating the administration of justice) under component 4.3 (Improve the efficiency of the justice system); measure description of measure 16486 (Museum of underwater antiquities), milestone 303 of measure 16593 (Amendment of the legal framework for the attraction of strategic investment), measure description of measure 16630 (Cretan Northern Highway (B.O.A.K.)), and measure description of measure 16833 (Implementation of EASA compliance rectification works) under component 4.6 (Modernise and improve resilience of key economic sectors); and measure description of measure 16994 (Energy Efficiency and promotion of RES for auto-consumption) under component 5.2 (5.2 REPowerEU investments). On this basis, Greece has requested to remove unnecessary background information or procedural elements that do not contribute to the objectives of the measures, to clarify that certain elements relate to the objectives or the context of the measures, and to simplify descriptions of measures or milestones and targets that cause an unjustified administrative burden for reaching the objectives of the respective measures. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(6) Greece has explained that milestone 38 of measure 16873 (Interventions in residential areas and in the building stock) under component 1.2 (Renovate) is partially no longer achievable, because of court litigation against the outcome of the public procurement process, which has delayed the implementation of the measure. On this basis, Greece has requested to extend the implementation timeline of the aforementioned milestone. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(7) Greece has explained that milestones 97 and 99 of measure 16929 (Towards Public Administration's "customer"-oriented services through simplification and improvement of processes, systems enhancements and compliance with European strategies and policies) under component 2.2 (Modernise) are amended, because of a reallocation in the responsibility for implementing this measure within the Greek administration. On this basis, Greece has requested to change the name of the responsible Ministry referred to in the qualitative indicator for the aforementioned milestones. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(8) Greece has explained that milestone 234 of measure 16575 (Accelerating the administration of justice) under component 4.3 (Improve the efficiency of the justice system) is amended, because of more complex than initially foreseen hiring processes that arose due to the calendar for the publication of the relevant public competition conducted by the Supreme Council for Civil Personnel Selection (ASEP), which will result in the successful candidates' list being finalised at the latest by end-2024. On this basis, Greece has requested to extend the implementation timeline of the aforementioned milestone. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(9) The Commission considers that the reasons put forward by Greece justify the amendments pursuant to Article 21(2) of Regulation (EU) 2021/241, and the Council Implementing Decision of 13 July 2021 should be amended accordingly.

Distribution of milestones and targets

(10) The distribution of milestones and targets in instalments should be modified to take into account the amendments to the plan.

Corrections of clerical errors

(11) Five clerical errors have been identified in the text of the Council Implementing Decision, affecting two milestones and five measures under four components. The Council Implementing Decision should be amended to correct these clerical errors that do not reflect the content of the RRP submitted to the Commission on 13 July 2021, as agreed between the Commission and Greece. Those clerical errors relate to: milestone 50 of measure 16831 (Produc-E Green) under component 1.3 (Recharge and Refuel); measure description of measure 16979 (Establishment of new water and wastewater regulatory authority) under component 1.4 (Sustainable use of resources, climate resilience and environmental protection); measure description of measure 16820 (Reform in the fields of mental health and addictions) under component 3.3 (Improve resilience, accessibility and sustainability of healthcare); and measure description of measure 16610 (Promoting the acceleration of VAT refunds) and milestone 338 of measure 16985 (Modifications to Greece's tax policy framework) under component 4.1 (Making taxes more growth friendly and improving tax administration and tax collection). Those corrections do not affect the implementation of the measure concerned.

Commission's assessment

(12) The Commission has assessed the modified RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241.

(13) The Commission considers that the amendments put forward by Greece do not affect the positive assessment of the RRP set out in the Council Implementing Decision (ST 10152/2021; ST10152/2021 ADD1) of 13 July 2021 on the approval of the assessment of the RRP for Greece regarding the relevance, effectiveness, efficiency and coherence of the RRP against the assessment criteria laid down in Article 19(3), points (a), (b), (c), (d),(da), (db), (e), (f), (g), (h), (i), (j) and (k).

Positive assessment

(14) Following the positive assessment by the Commission of the modified RRP with the finding that the RRP satisfactorily complies with the criteria for assessment set out in Regulation (EU) 2021/241, in accordance with Article 20(2) of and Annex V to that Regulation, the reforms and investment projects necessary for the implementation of the modified RRP, the relevant milestones, targets and indicators, and the amount made available from the Union for the implementation of the modified RRP in the form of non-repayable financial support and loans should be set out.

Financial contribution

(15) The estimated total costs of Greece's modified RRP is EUR 36 612 904 139. As the amount of the estimated total costs of the modified RRP is higher than the updated maximum financial contribution available for Greece, the total financial contribution determined in accordance with Articles 20(4) and 21a(6) of Regulation (EU) 2021/241 allocated for Greece's modified RRP should be equal to EUR 18 220 378 076.

Loans

(16) The loan support made available to Greece amounting to EUR 17 727 538 920 remains unchanged.

(17) Council Implementing Decision (ST 10152/2021; ST10152/2021 ADD1) of 13 July 2021 on the approval of the assessment of the RRP for Greece should therefore be amended accordingly. For the sake of clarity, the Annex to that Council Implementing Decision should be replaced entirely,

HAS ADOPTED THIS DECISION:

Article 1

The Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Greece is amended as follows:

(1) Article 1 is replaced by the following:

"*Article 1*

Approval of the assessment of the RRP

The assessment of the modified RRP of Greece on the basis of the criteria provided for in Article 19(3) of Regulation (EU) 2021/241 is approved. The reforms and investment projects under the RRP, the arrangements and timetable for the monitoring and implementation of the RRP, including the relevant milestones and targets and the additional milestones and targets related to the payment of non-repayable financial support and of the loan, the relevant indicators relating to the fulfilment of the envisaged milestones and targets, and the arrangements for providing full access by the Commission to the underlying relevant data are set out in the Annex to this Decision.";

(2) The Annex is replaced by the text in the Annex to this Decision.

Article 2
Addressee

This Decision is addressed to the Hellenic Republic.

Done at Brussels,

For the Council
The President